



CITY OF MEMPHIS

COUNCIL AGENDA

April 19, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (April 5, 2016)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. PRESENTATION of the FY 2017 Budget by Mayor Jim Strickland.
2. RESOLUTION congratulating Mitchell High School boys basketball team as 2014, 2015 and 2016 TSSAA Boys Basketball State Championships – Division I Class A. This resolution is sponsored by Councilman Ford.

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

3. RESOLUTION approving a planned development located on the northwest quadrant of Colvett I-40 and Hollywood, containing 20.82 acres, vacant land in the Commercial Mixed-Use

Chairman,
Planning &
Zoning
Committee

-3(CMU-3) zoning district. This resolution is sponsored by the Office of Planning & Development. (Held from 03/01).

Case No. PD 16-01

Applicant: Patel Manherlal T Living Trust/Hospitality Builders of America, Inc.
Scot Woodard – Representative

Request: Planned development in North Memphis to allow uses of
convenience store with gas pumps, hotel, retail, restaurant with
drive-thru lane and truck washing

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

28 NOTICES WERE MAILED ON FEBRUARY 19, 2016

4. RESOLUTION approving a planned development located on the northwest corner of
Colvett Whitten Road and Mullins Station Road, containing 54.98 acres in the Residential Single
Chairman, Family (R-8) District and governed by Westchester Square Planned Development (P.D.
Planning & 93-335). This resolution is sponsored by the Office of Planning & Development.
Zoning Committee Case No. PD 15-327

Applicant: DB Development Company
Solomito Land Planning – Representative

Request: Planned development to allow garden-style and mid-rise
apartments with professional and medical offices, including
limited ground floor commercial land uses

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

318 NOTICES WERE MAILED ON APRIL 8, 2016

5. RESOLUTION approving a special use permit located at 1740 Ridgeway Road,
Colvett containing 2.06 acres in the Institutional; Single-Family Residential-10 (R-10) zoning
Chairman, district. This resolution is sponsored by the Office of Planning & Development.
Planning &
Zoning Committee Case No. SUP 16-05

Applicant: The Hutchison School
Solomito Planning-Brenda Solomito-Basar – Representative

Request: Special Use Permit to allow lighting to an existing recreational field

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

65 NOTICES WERE MAILED ON APRIL 8, 2016

DIVISION OF PLANNING AND DEVELOPMENT

6.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a street/alley closure located on the north of the ROW line of Cleveland St., 134' west of Union Avenue, containing 0.096 acres of 4,533 S. F., in the Medical District Overlay. This resolution is sponsored by the Office of Planning & Development.

Case No. SAC 16-03

Applicant: First Tennessee Bank
Forrest Owens, ETI – Representative

Request: To close an existing alley

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE – THIRD AND FINAL READING

7.
Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE rezoning the east side of Prescott Rd., 733' north of Raines Road, containing 5.0 acres in the R-8 District, up for T H I R D and F I N A L reading. This ordinance is sponsored by the Office of Planning & Development.

Case No. Z 16-01

Ordinance No. 5613

Applicant: Delta Wholesale Liquors, Inc.
Terry Searcy – Representative

Request: Re-zone from R-8 (Single-family Residential) to EMP
(Employment) District

LUCB and OPD recommendation: Property be rezoned from R-8 to EMP

ACTION REQUESTED: Take whatever action Council deems advisable

72 NOTICES WERE MAILED ON APRIL 8, 2016



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

8. **ORDINANCE** to amend Chapter 4, of the City of Memphis Code of Ordinances relative to Alcoholic Beverages General, and Beer and other light beverages excluding Retail Food Stores from the location restriction for the manufacture and sale of Alcoholic Beverages near Churches, Schools and other Private Institutions or Residential Areas, up for S E C O N D reading. Ordinance No. 5615 is sponsored by Councilman Morgan.
- Conrad
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

9. **RESOLUTION** accepting THE CRESCENT CENTER PD, and authorizing the release of bond.

Case No. PD 12-302
(Contract No. CR-5196)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located at the southwest corner of Poplar Avenue and Ridgeway Road. The standard improvement contract was approved on February 5, 2013. Resolution also authorizes the release of the Performance bond in the amount of \$47,600.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD (None)



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MLGW FISCAL CONSENT

10. RESOLUTION approving Change No. 12 to Contract No. 9955, Partial Funding of Pollution Control, Ground Water Quality Control Program, with Memphis & Shelby County Health Department, authorizing the annual payment of fees, in the funded amount of \$139,632.90.
11. RESOLUTION awarding Contract No. 11815, Grounds Maintenance and Landscaping, to Landscape Workshop, in the funded amount of \$84,247.00.
12. RESOLUTION awarding a contract to Tag Truck Center, for the purchase of cab and chassis, in the amount of \$1,457,895.00.
13. RESOLUTION approving Change No. 3 to Contract No. 11564, Grounds Maintenance, with Vanderbilt Landscaping, LLC, in the funded amount of \$487,607.25. (This change is to renew current contract for the third of four annual renewal terms for the period covering May 12, 2016 through May 11, 2017, with no increase in rates from the previous year. In addition, this change removes the Whitworth property from the contract. The property was sold.)
14. RESOLUTION awarding a contract to Brighter Days and Nites, Inc., for the purchase of carbon steel, in the amount of \$78,443.40.
15. RESOLUTION awarding a contract to Southern Sales and Service Company, for the purchase of twelve inch steel pipe, in the amount of \$60,293.76.
16. RESOLUTION requesting approval of the selection of Intercontinental Real Estate Corporation, a core-plus real estate manager, to manage \$3,750,000 for the benefit of the MLGW OPEB Trust Fund, as part of a reallocation.
17. RESOLUTION requesting approval of the selection of American Strategic Value Realty Fund, a value-added real estate fund manager, to manage \$3,750,000.00 for the benefit of the MLGW OPEB Trust Fund, as part of a reallocation.
18. RESOLUTION awarding a contract to Brighter Days and Nites, Inc., for polyethylene (PE) couplings, in the amount of \$90,240.00.
19. RESOLUTION approving Change No. 3 to Contract No. 11023, Secure32 Products, with SunGard AvantGard, LLC, in the funded amount of \$30,175.00. (This change is to renew annual software maintenance, license fees, and support services for a five year term for the period covering April 22, 2016 through April 21, 2021.

20. RESOLUTION awarding a contract to PowerWorld Corporation, for PowerWorld software maintenance renewal, in the amount of \$15,000.00.
21. RESOLUTION awarding Contract No. 11865, Electric Design for Tennessee Department of Transportation (TDOT), to Allen & Hoshall in the funded amount, with approved rates, not-to-exceed \$200,000.00.
22. RESOLUTION awarding Contract No. 11864, Electric Design for Tennessee Department of Transportation (TDOT), to Gresham, Smith & Partners in the funded amount, with approved rates, not-to-exceed \$200,000.00.
23. RESOLUTION awarding Contract No. 11866, Gas Design for Tennessee Department of Transportation (TDOT), to Allen and Hoshall in the funded amount, with approved rates, not-to-exceed \$150,000.00.
24. RESOLUTION awarding Contract No. 11867, Gas Design for Tennessee Department of Transportation (TDOT), to SSR in the funded amount, with approved rates, not-to-exceed \$150,000.00.
25. RESOLUTION awarding Contract No. 11868, Water Design for Tennessee Department of Transportation (TDOT), to Allen & Hoshall in the funded amount, with approved rates, not-to-exceed \$150,000.00.
26. RESOLUTION awarding Contract No. 11869, Water Design for Tennessee Department of Transportation (TDOT), to Fisher & Arnold in the funded amount, with approved rates, not-to-exceed \$150,000.00.



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REGULAR AGENDA

GENERAL ORDINANCE – THIRD AND FINAL READING

27. **ORDINANCE** amending Ordinance No. 5595, Title V, Chapters 20 and 40, of the Memphis Municipal Code to revise the definitions of “Hotel” and “Transient” and Section 5-40-5 Funding, up for T H I R D and F I N A L reading. Ordinance No. 5614 is sponsored by Finance Division.
- Boyd
Chairman,
Economic
Development,
Tourism &
Technology
Committee
- ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

28. **RESOLUTION** authorizing the issuance of not to exceed \$150,000,000.00 General Obligation Bonds, and bond anticipation notes issued as commercial paper, of the City of Memphis, Tennessee, pursuant to the local government Public Obligations Act of 1986, for the purpose of financing the cost of Public Works projects in the City. This resolution is sponsored by Finance Division. (Held from 4/5)
- Ford
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

29. **RESOLUTION** authorizing the sale, issuance, and delivery of not to exceed \$77,000,000.00 aggregate principal amount of General Improvement Bonds for the purpose of paying at maturity the principal of certain General Obligation Commercial Paper of the City and amending the Debt Management policy and procedures of the City. This resolution is sponsored by Finance Division. (Held from 4/5)
- Ford
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

30. RESOLUTION approving the FY2017 Consolidated Plan and accepting and appropriating anticipated FY2017 Community Development Block Grant (CDBG) funds in the amount of \$6,098,932.00, CDBG Program Income in the amount of \$1,200,000.00, HOME funds in the amount of \$2,520,902.00, HOME Program Income in the amount of \$100,000.00, Emergency Solutions Grant (ESG) funds in the amount of \$561,939.00, and Housing Opportunities for Persons with AIDS (HOPWA) funds in the amount of \$3,511,669.00 from the U.S. Department of Housing and Urban Development (HUD) to the FY2017 budget for the Division of Housing and Community Development. This resolution is sponsored by Housing & Community Development.
- Brown
Chairman,
Housing &
Community
Development
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES

31. RESOLUTION authorizing changes to the procedures for adjudication of claims by the Pension Board of Administration. Resolution is required to comply with *Marino v. board of Administration of City of Memphis*. This resolution is sponsored by Human Resources.
- Spinosa
Chairman,
Personnel &
Intergovernmental
Committee

ACTION REQUESTED: Adopt the resolution

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION

32. RESOLUTION approving the selection of certain professionals in connection with the proposed issuance of Series 2016 Electric System Revenue Bonds, Series 2016 Gas System Revenue Bonds, and the Series 2016 Water System Revenue Bonds. This resolution is sponsored by MLGW Division.
- Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES

33. RESOLUTION allowing the City of Memphis through the Division of Police Services to accept grant funds in the amount of \$750,000.00 from the Plough Foundation to be used for laboratory testing of back-logged Sexual Assault Kits. This resolution is sponsored by Police Services.
- Morgan
Chairman,
Public Safety
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC WORKS

34. RESOLUTION accepting \$25,000,000.00 from the Tennessee Department of
Hedgepeth Environment and Conservation Clean Water State Revolving Loan for modifications
Chairman, and upgrades to the existing treatment process and the addition of disinfection facilities
Public Works at the T.E. Maxson WWTP. This resolution is sponsored by Public Works Division.
& Transportation
Committee
- ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

35. RESOLUTION requesting the City Council Chairman to form a Committee to study
Conrad and recommend to the City Council the reasonableness of de-annexing areas of the
Chairman, City and the best way to coordinate the provision of essential services to residents of
Executive an affected territory after de-annexation. This resolution is sponsored by Chairman
Session Conrad.

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

36. RESOLUTION to create and fund the Neighborhood Sentinel Program, designed to provide additional camera surveillance to all City Council Districts. This resolution is sponsored by Councilman Spinosa.

Morgan
Chairman,
Public Safety
& Homeland
Security Committee

ACTION REQUESTED: Adopt the resolution

37. RESOLUTION accepting (4) SkyCop Camera Solutions, compatible with existing MPD equipment, to be installed in the Victorian Village Historic neighborhood. Victorian Village Inc. will make a donation to MPD by way of the Memphis/Shelby County Law Enforcement Foundation. City of Memphis Division of Police Services Real Time Crime Center has been awarded (4) SkyCop® Pro Enclosure System w/(2) flashing blue lights, MPD/SkyCop Logos (2) Fixed 4MP Bullet Cameras, (1) PTZ, NVR w/4TB storage, Wireless Communications back to MPD-RTCC and (4) MLGW Fees. The total amount of the donation is \$28,572.24 after installation. This resolution is sponsored by Police Services.

Morgan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

38. RESOLUTION approving a litigation settlement in the amount of \$74,500.00. This resolution is sponsored by MLGW Division.

Robinson
Chairman,
MLG&W
Committee

ACTION REQUESTED: Adopt the resolution

39. RESOLUTION adopting the Shelby County Mitigation Plan. This resolution is sponsored by Public Works Division.

Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. & 2 – Approved
3. Held until May 3, 2016
4. & 5 – Approved, as amended
6. Approved
7. Held until May 3, 2016
8. Through 26 – Approved
27. Held until May 3, 2016
28. Through 34 – Approved
35. Approved, as amended
36. Through 39 – Approved

April 19, 2016

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ACTION TAKEN BY COUNCIL ON THE MINUTES OF APRIL 5, 2016 MEETING

Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #28, #29, #37 & #39 FROM TONIGHT'S MEETING

Approved